

REMARKS

Claims 1-54 are pending.

In the present Office Action, claims 1-8, 10-16, 18-22, 25-36, 39-52 and 54 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,480,667 (hereinafter "O'Connor"). In addition, claims 9, 17, 23-24, 37-38 and 53 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over O'Connor in view of U.S. Patent No. 6,289,165 (hereinafter "Abecassis"). Applicant respectfully traverses the above rejections and requests reconsideration.

In paragraph 3 of the Office Action, the examiner suggests all of the independent claims are disclosed by O'Connor. However, Applicant disagrees. For example, claim 1 recites a method which includes:

"receiving a broadcast of a program, the broadcast containing a plurality of perspectives of the program;
presenting a first perspective of the plurality of perspectives to a viewer, said first perspective comprising a first perspective of a portion of the program;
storing at least one of the plurality of perspectives;
providing input from a viewer which indicates a desire to replay the portion of the program from a second perspective of the plurality of perspectives;
identifying in the first perspective a first point in time in the program which corresponds to the beginning of said portion, responsive to the input;
automatically determining a second point in time in the second perspective, wherein the second point in time comprises an approximation of the first point in time in the program; and
presenting the portion of the program from the second perspective to the viewer beginning at the second point in time." (emphasis added).

From the above, a plurality of perspectives of a program are received, a first perspective is presented, and a portion of the program is replayed from a second perspective. O'Connor neither discloses nor suggests such features. In contrast, O'Connor is generally directed to time shifting, and more particularly to viewing a

portion of a recorded program before the recording is completed. For example, O'Connor discloses the following:

"However, due to the nature of the analog medium, once the VCR has started recording, it is not possible to play back the portion of the video stream that has already been recorded until the recording session is terminated."

"A method of providing a time-shifted video stream is disclosed. . . . While the video stream continues to be recorded, a portion of the video stream is retrieved from the storage unit and provided at an output."

With respect to the claim features, the examiner states the following:

"O'Connor discloses . . . [r]eceiving a broadcast of a program . . . containing a plurality of perspectives (different frames, segments, portions, etc., . . .) of the program." (Office Action, pages 2-3).

Accordingly, the examiner seems to suggest that the different frames, segments, portions of the broadcast program are different perspectives of the program. The examiner further states that O'Connor discloses:

"Providing input from the a [sic] viewer . . . which indicates a desire to replay a portion of the program (review a video clip the user just saw) from a second perspective" (Office Action, page 3).

More particularly, O'Connor discloses the following:

"Temporary Buffering (Circular Buffering)

. . . random access storage unit may act as a temporary buffer for recording the latest portion, or X number of minutes, of an incoming video stream, where X is set up based upon the size of the storage unit. . . . the temporary buffering of the video stream acts as a circular buffer. . . .

FIG. 5 shows a flowchart of one method for using the storage unit as a temporary buffer. . . . Recording of the video stream to the storage

unit begins at block 504. At block 506, older portions of the video stream are deleted as newer portions of the video stream are stored to the storage unit. A user may initiate a playback cycle following block 506. For example, this may occur when the user wishes to re-view a video clip that he just saw.”

Applicant submits the disclosure of O'Connor above concerning temporary buffering wherein a user may initiate a playback of a video clip is not equivalent to “providing input from a viewer which indicates a desire to replay the portion of the program from a second perspective of the plurality of perspectives.” Further, Applicant submits O'Connor does not disclose the multiple perspectives as recited. Applicant notes that the broadest reasonable interpretation of a claim term must be consistent with the interpretation that one of skill in the art would reach (see MPEP 2111). In effect, the Office Action appears to equate “pieces” of a program (e.g., frames) with multiple perspectives of the program. Anticipation requires fairly strict identity (see MPEP 2131). While different terminology may be used, it must be clear that the terms have identical meaning. As explained above, the recited multiple perspectives and replay from a second perspective are not disclosed by O'Connor. For at least the above reasons, Applicant submits the independent claims are not anticipated by O'Connor.

In addition to the above, claim 1 recites “automatically determining a second point in time in the second perspective, wherein the second point in time comprises an approximation of the first point in time in the program.” In the Office Action, O'Connor is cited as disclosing these features. However, the cited portions of O'Connor merely disclose pausing/unpausing a recording, and viewing a time shifted program via a recording. As O'Connor does not disclose the multiple perspectives as recited, O'Connor does not disclose at least “automatically determining a second point in time in the second perspective.” For at least these additional reasons, claim 1 is patentably distinguishable from the cited art. In view of the above, claim 1 is patentable over the cited art. As each of independent claims 15, 20, 31, and 45 include limitations similar to those discussed above. Therefore, for similar reasons, each of claim 15, 20, 31, and 45 are believed patentable as well.

In addition to the above, additional features are recited by the dependent claims which are neither disclosed nor suggested by the cited art. For example,

Still further, the features of claim 12 (and similarly claims 19, 28, 42 and 52) are nowhere disclosed or suggested by the cited art. In the Office Action, O'Connor is cited as disclosing these features. However, Applicant has reviewed the portions of O'Connor cited by the examiner, as well as the rest of O'Connor and all of the cited art, and the features of claim 12 are nowhere disclosed or suggested.

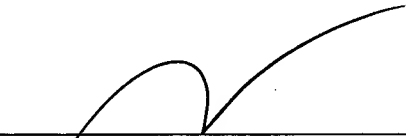
Applicant believes all claims to be in condition for allowance. Should the examiner have any questions or believe there are still reasons withhold allowing the present application to proceed to issuance, the below signed representative would greatly appreciate a telephone call at (512) 853-8866 in order to facilitate a rapid resolution.

CONCLUSION

Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5266-05200/RDR.

Respectfully submitted,



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